

# Attorney Client / Ex. 5

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**From:** Fyfe, James@DTSC [mailto:James.Fyfe@dtsc.ca.gov]

**Sent:** Thursday, February 28, 2013 3:57 PM

**To:** Tran, Xuan-Mai; West, John@Waterboards

**Cc:** Toth, Karen@DTSC; Tsuji, Denise@DTSC; Sunga, Remedios@DTSC

**Subject:** RE: Notification of ecological pre-construction surveys to be conducted at IR Site 2 on 5 March 2013

Hi Everybody,

I spoke with the TI Project Manager about this. The Navy plans to transport the dredged material to Alameda for drying and use for Alameda projects, presumably Site 1 and/or Site 2, if it meets Alameda's "acceptance criteria". However, if the dredge spoils contain any hazardous materials, e.g., lead shot, it must be properly disposed of and cannot be transported to another site. The DTSC PM will make this comment during her review of the TI RD.

Dale Smith expressed her concerns about this during the TI RAB meeting. I am surprised she did not mention it to any of us. Maybe she is saving it for the Alameda RAB meeting. Also interesting that the Navy did not mention any of this to the Alameda regulators.

I will keep you posted as this develops.

Thanks,

Jim Fyfe  
(510) 540-3850

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**From:** Fyfe, James@DTSC [<mailto:James.Fyfe@dtsc.ca.gov>]  
**Sent:** Thursday, February 28, 2013 1:29 PM  
**To:** Tran, Xuan-Mai; West, John@Waterboards  
**Subject:** FW: Notification of ecological pre-construction surveys to be conducted at IR Site 2 on 5 March 2013

FYI. Check out the section of the TI Work Plan below. I am looking into this with the TI Project Manager here and will let you know more after I talk with her.

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**From:** Waligora, Dan T.@Wildlife [<mailto:Dan.Waligora@wildlife.ca.gov>]  
**Sent:** Wednesday, February 27, 2013 4:43 PM  
**To:** Fyfe, James@DTSC  
**Subject:** RE: Notification of ecological pre-construction surveys to be conducted at IR Site 2 on 5 March 2013

Yes I will Jim.

So much so that I am re-scheduling a doctor's appointment to be able to make the visit.

Will you be joining me and should I extend an invitation to Ben Solvesky of the USFWS

To see if he might want to see the site?

I haven't received any information on what time they will be conducting the survey, do you happen to know or should I request the information directly from the Navy or even the biologist?

Also here's a section from the TI Work Plan for Site 27, Former Clipper Cove Skeet Range:

Based on the remedy description, the only variation in the remedial design from the ROD/Final RAP is the design dredge depth of 1.5 feet. Based on the recent bathymetric survey conducted as part of the design, there has been 0.5 to 1.5 feet of deposition within 150 feet of the shore, which is described in Appendix B of this BODR. Based on this survey, the lead shot is currently buried under 2.0 feet of sediment and meets the remedial action objective that the lead shot be buried below 2 to 4 feet of sediment. The engineered backfill, consisting of a protective armor layer, will protect the sediments from erosion and scour taking into account current and historical uses of the marina. The dredged sediments will be beneficially reused with in installation restoration sites located on the former Naval Air Station Alameda Island (NAS Alameda). The sediments will not require dewatering onshore prior to transport to NAS Alameda but will be dewatered at NAS Alameda's dewatering pad prior to reuse.

None of the Site 2 documents mention anything about a dewatering pad being used, and it certainly hasn't mentioned staging anything near Sea Plane Lagoon or Site 17.

Think I'll be making comments here in the TI document review and follow up with.....whomever possibly during the pre-construction surveys.

Thanks,  
Dan

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**From:** Fyfe, James@DTSC [<mailto:James.Fyfe@dtsc.ca.gov>]  
**Sent:** Wednesday, February 27, 2013 12:40 PM  
**To:** Waligora, Dan T.@Wildlife  
**Cc:** Toth, Karen@DTSC  
**Subject:** FW: Notification of ecological pre-construction surveys to be conducted at IR Site 2 on 5 March 2013

Hi Dan,

FYI. I see that you already received a similar notice from the Navy re this. Will you want to be at Site 2 at the time of the eco survey?

Jim

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**From:** O'Hare, Michael [<mailto:Michael.OHare@tetrattech.com>]  
**Sent:** Wednesday, February 27, 2013 10:02 AM  
**To:** Fyfe, James@DTSC  
**Cc:** Munro, David; Barna, Jeff; [jacques.lord.ctr@navy.mil](mailto:jacques.lord.ctr@navy.mil); Richards, Vincent; Abedi, Hedy; [Derek.j.robinson1@navy.mil](mailto:Derek.j.robinson1@navy.mil)  
**Subject:** Notification of ecological pre-construction surveys to be conducted at IR Site 2 on 5 March 2013

Mr. Fyfe,

This notification documents TtEC's intention, on behalf of the Navy, to continue the pre-construction ecological surveys on Tuesday, March 5, 2013 in support of the RAWP/RD and pursuant to the EPP (Attachment 6 to the RAWP/RD) at IR Site 2 and the pre-construction survey schedule provided on February 15. Jeff B. Barna (Tetra Tech Inc.) will be the qualified biologist conducting this survey. All specific guidance provided by the EPP regarding the Ecological Surveys will be followed for this survey. A survey report will be issued shortly after completion.

Please forward this notification to all appropriate interested parties.

Respectfully,

Michael O'Hare  
Tetra Tech EC, Inc.  
619-471-3512